

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KEVIN DIANTE BENTON,

Plaintiff,

v.

DUSTIN WILLIAMS and SARGEANT

UNKNOWN MONTELEONE,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

No. 4:25-cv-01007-ACL

MEMORANDUM AND ORDER

This matter is before the Court upon its own motion. Self-represented Plaintiff has submitted four unsigned documents for filing: his Complaint, Original Filing Form, Application to Proceed in District Court Without Prepaying Fees or Costs, and Motion for Appointment of Counsel. *See* ECF Nos. 1 at 13, 1-3, 2, 3. Under Federal Rule of Civil Procedure 11, every written pleading or motion must be signed “by a party personally if the party is unrepresented” and the Court may strike an unsigned paper “unless the omission is promptly corrected after being called to the . . . party’s attention.” Similarly, the Local Rules of this Court also require that all filings be signed by the party or the party’s attorney. E.D. Mo. L.R. 2.01(A)(1). As a result, the Court will order the Clerk to return these filings to Plaintiff so that Plaintiff may sign them and return them to the Court for filing. If Plaintiff fails to comply with this Order, Plaintiff’s action will be dismissed.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall return to Plaintiff his Complaint (ECF No. 1), Original Filing Form (ECF No. 1-3), Application to Proceed Without Prepaying (ECF No. 2) and Motion for Appointment of Counsel (ECF No. 3).

IT IS FURTHER ORDERED that Plaintiff shall sign these filings then return them to the Court within **thirty (30) days** of the date of this Order.

IT IS FINALLY ORDERED that if Plaintiff fails to comply with this Order, Plaintiff's action shall be dismissed without prejudice.

Dated this 24th day of July, 2025.

/s/ Abbie Crites-Leoni

ABBIE CRITES-LEONI

UNITED STATES MAGISTRATE JUDGE